

COALITION OF BC BUSINESSES

Advancing Labour Policies that Work

26 November 26, 2018

Labour Relations Code Review response to report
From the Coalition of BC Businesses

To the Labour Relations Code Review Panel,

Re: Labour Relations Code Review Panel feedback

Thank you for the opportunity to respond to the report by the Labour Relations Code Review Panel of August 31, 2018. The Coalition of BC Businesses agrees it is imperative to undertake such reviews periodically. The Coalition appreciates the time and energy spent on this review and would like to thank all members of the Panel for their efforts on this important undertaking.

The Coalition of BC Businesses is comprised of 14 BC business associations, representing more than 100,000 small- and medium-sized businesses who collectively employ well over 500,000 workers. On their behalf, the Coalition works on several important labour issues as we embrace the changing world of work.

It is critical to the Coalition that labour policies are based on the following principles:

1. be fair to both employers and employees,
2. provide flexibility in the workplace,
3. not create unnecessary costs/burdens to doing business,
4. and provide certainty/decisive direction on the rights of both employers and employees.

Increasing costs to BC's small- and medium-sized businesses

When contemplating changes to the Labour Relations Code, it is important to recall that many recent provincial government policies are stacking up and making it more difficult for small- and medium-sized businesses to be productive and competitive.

When combined with the loss of revenue neutrality and increase of the Carbon Tax, increases to minimum wage, and increases to the general corporate tax rate, businesses of all sizes—from dry cleaners on Main Street to family logging companies in the interior—are reporting serious challenges to their ability to invest and grow. Many have

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also expressed alarm that government implemented these changes without first adequately understanding the financial impact on the engines of BC's economy. Whatever changes are recommended on the Labour Relations Code, there will likely be costs associated with them. It is vital that these costs be analyzed fully and transparently in consultation with BC's business community before they are enacted.

Embracing the changing world of work

The Coalition is pleased to see that there are no sweeping changes proposed to the Labour Relations Code. The recommendations appear to be reasonably balanced and the Coalition expects that great consideration will be given to the report by Government. In particular, the Coalition supports those recommendations where the project committee achieved full consensus. With that in mind, the Coalition wishes to highlight the following:

Certification Process:

- a. Secret Ballot:** The Coalition is glad to see that the fundamental right of a secret ballot vote is being maintained. There is some concern about cutting the time frame for holding a certification vote in half. Businesses need the added time to adequately address the issues at hand, while still maintaining the regular operations of the business. Simply put, businesses cannot just cease to operate their core functions and only address the certification process; they need to be able to do both concurrently. As such maintaining the full 10-day period is preferred.
- b. Mail Ballots:** The Coalition agrees that wherever possible votes should be held in person, and the use of mail ballots be used sparingly.
- c. Employee lists:** The Coalition is in agreement with the Panel that employers should provide a list of employees to the Board in a timely manner.

Sectoral / Multi-Employer Certification or Bargaining:

The Coalition was encouraged that there were no specific recommendations regarding sectoral certification or sectoral bargaining. The recommendation to further review this matter with deeper input from specific industries is a

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balanced approach that, if done, will hopefully be broad reaching, well thought-out, and transparent in nature.

Decertification:

The Coalition strongly believes that the method for decertification should be very similar (especially with regards to timelines etc.) to the methodology for certification. The Coalition does note that the timeframe for a vote to be held is recommended to mirror that for a certification process.

Working together for a productive, innovative economy

Thank you for undertaking this extremely important review. Reviews such as this are stronger for having a broad cross section of participants from all sizes of business and employment backgrounds. The Coalition appreciates having been able to participate in this review and it has been the Coalitions pleasure to be part of this process.

Best regards,



Jeff Guignard
Chair, Coalition of BC Businesses.